

I say to you that attempt to influence has happened at the superior court level. Many judges from the municipal courts and people's court in this state told our Committee that it was a commonplace occurrence at the district court level.

We all know this to be true. A humble citizen who gets into trouble for a petty crime or traffic violation is told if he pays lawyer "X" who knows politician "Y" who has the ear of judge "Z" all will be well or the ticket will be fixed. If he pays bailsmen "A", judge "B" will release him temporarily from jail and enable him to go back to work and feed his family.

If people are to have respect for law, is it not time we cleaned up this sorry mess; have we not found the worst abuse among the poor and the helpless?

With all the earnestness at my command I suggest you vote down the bifurcated monster set out in the Minority Report. Is this a unified judicial system? If we cannot carry this point, I would suggest as far as judicial reform is concerned, we better pack up and go home.

*(Applause).*

THE CHAIRMAN: For what purpose does Delegate Malkus rise?

DELEGATE MALKUS: To ask if the delegate will yield to a question.

THE CHAIRMAN: Will you?

DELEGATE HENDERSON: Yes.

DELEGATE MALKUS: Is it or is it not true that you were a part of the evil mess of which you speak?

DELEGATE HENDERSON: I sat on the Court of Appeals for 20 years and on the supreme bench for nearly two. If that constitutes a part of it, then, yes, I was.

THE CHAIRMAN: For what purpose does Delegate Johnson rise?

DELEGATE JOHNSON: Mr. Chairman, as I indicated at the outset, the minority neither sought nor requested speakers on this particular amendment, however, I am happy to say that a few delegates have sent me notes and indicated that they would like to be heard under the controlled time and so if it is in order, I would like to honor their requests. I yield up to five minutes to Delegate Dorsey.

THE CHAIRMAN: Delegate Dorsey is recognized for five minutes.

DELEGATE DORSEY: Mr. President and ladies and gentlemen of the Convention: The Missouri plan which was inaugurated about twenty-seven years ago in Missouri was born of the corruption that existed in Kansas City under the Prendergast machine and from the Democratic landslide which swept all the Republican judges in St. Louis out of office when Roosevelt was running. That brought about reform in Missouri. The Missouri plan, on which the Niles Plan was founded has never been extended in that State beyond the Supreme Court of Missouri and the circuit courts of Kansas City and St. Louis.

Now, when my good friend Judge Niles originally proposed this plan, it would have gone no further than this in Maryland. It would have applied only to the appellate court, and would be optional with the other political subdivisions of the State whether they desired to have it or not. I might say that there is no man in this State for whom I hold a warmer personal regard than for Emery Niles and there is no judge in this State that I respect more than Judge Niles who for a quarter of a century graced the supreme bench of Baltimore City. It is because of the high regard I hold for him and his illustrious father who lectured at the University of Maryland when I was a law student that I am unwilling to see the system which we have in Maryland which produced Judge Niles and his father scrapped because some judge such as Judge Henderson says it is born in corruption.

The Niles Plan was introduced in the Maryland legislature and rejected by the duly elected representatives of the people in Maryland in their General Assembly. It was consigned by the General Assembly or referred by the last General Assembly to the Constitutional Convention. I am told by my good friend Senator Malkus that when they consigned it to the Constitutional Convention Commission they thought that they were consigning it to the cemetery, but that these political scientists who have been so much around this Convention performed a remarkable operation along with some Harvard Law School graduates and revived the Niles plan and brought it back even in a more noxious form than it was when it was presented to the General Assembly.

THE CHAIRMAN: You have one minute, Delegate Dorsey.

DELEGATE DORSEY: I might say that when the distinguished Chairman of the